

12-26-01

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Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 004933.P004

(maximum 12 characters)

First Named Inventor Jared Bobbitt

Title: VIRTUAL FILE SYSTEM

Express Mail Label No. EL861982817US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
2. X **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. X **Specification (Total Pages 46)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. X **Drawings(s) (35 USC 113) (Total Sheets 14)**
5. X **Oath or Declaration (Total Pages 6)**
 - a. X Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies), or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☒ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ a. Information Disclosure Statement (IDS)/PTO-1449
- ☐ b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. ☒ Other: separate sheet with title, express mail label, copy of postcard and attorney's signature

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
Of Prior Application No.: ☐ Examiner ☐ Group Art Unit ☐

(which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐
which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐ (List entire chain of priority)

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that ☐ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. ☐ Frame No. ☐ (or a copy of which is attached).

19. Correspondence Address

☐ Customer Number or Bar Code Label ☐
or (Insert Customer No. or Attach Bar Code Label here)

☒ Correspondence Address Below

NAME R. Alan Burnett
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (206) 292-8600 FAX (206) 292-8606

Name (PRINT/TYPE): R. Alan Burnett Registration No.: 46,149

Signature: R. Alan Burnett Date: Dec. 19, 2001

FEE TRANSMITTAL FOR FY 2001**TOTAL AMOUNT OF PAYMENT (\$)** \$542.00**Complete if Known:**Application No. Not yet assignedFiling Date HerewithFirst Named Inventor Jared Bobbitt

Group Art Unit _____

Examiner Name _____

Attorney Docket No. 004933.P004**METHOD OF PAYMENT (check one)**

1. ☒ [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

- ☒ [X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☒ X Payment Enclosed:
☒ X Check
☐ Money Order
☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
101	740	201	370	Utility application filing fee	<u>\$370.00</u>
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
SUBTOTAL (1)					\$ <u>370.00</u>

2. EXTRA CLAIM FEES

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>30</u>	- 20** = <u>10</u>	X <u>\$9.00</u>	= <u>\$90.00</u>
Independent Claims	<u>4</u>	- 3** = <u>1</u>	X <u>\$42.00</u>	= <u>\$42.00</u>
Multiple Dependent				= _____

**Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 132.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee	
141	1,280	241	640	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40.00
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (3) \$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: R. Alan Burnett

Signature: *R. Alan Burnett* Date: Dec 19, 2001

Reg. Number: 46,149 Telephone Number: (206) 292-8600

Our Reference: 004933.P004

Patent

VIRTUAL FILE SYSTEM

Inventors:
Jared Bobbitt
Stephan Doll
Marc Friedman
Patrick Lau
Joe Mullally

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

R. Alan Burnett
R. Alan Burnett
Reg. No. 46,149

"Express Mail" mailing label number: EL861982817US
Date of Deposit: December 19, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Jenny Miller

(Typed or printed name of person mailing paper or fee)

Jenny Miller Dec 19, 2001
(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: Not yet assigned Filing/Issue Date: Herewith
Client: Viathan Corporation
Title: VIRTUAL FILE SYSTEM

BSTZ File No.: 004933.P004 Atty/Secty Initials: RAB/jem
Date Mailed: December 19, 2001 Docket Due Date: _____

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|---|--|
| <input type="checkbox"/> Amendment/Response (____pgs.) | <input checked="" type="checkbox"/> Express Mail No.: <u>EL861982817</u> Check No. <u>1897</u> |
| <input type="checkbox"/> Appeal Brief (____pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time Amt: <u>\$542.00</u> |
| <input checked="" type="checkbox"/> Application - Utility (<u>46</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____pgs.) | Statement & PTO-1449 (____pgs.) <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____pgs.) | <input type="checkbox"/> Issue Fee Transmittal Amt: _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____pgs.) | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Application - Design (____pgs.) | <input type="checkbox"/> Petition for _____ |
| <input type="checkbox"/> Application - PCT (____pgs.) | <input checked="" type="checkbox"/> Postcard |
| <input type="checkbox"/> Application - Provisional (____pgs.) | <input type="checkbox"/> Power of Attorney (____pgs.) |
| <input checked="" type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Preliminary Amendment (____pgs.) |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Reply Brief (____pgs.) |
| <input checked="" type="checkbox"/> Declaration & POA (<u>6</u> pgs.) | <input type="checkbox"/> Response to Notice of Missing Parts |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |
| <input checked="" type="checkbox"/> Drawings: <u>14</u> # of sheets includes <u>16</u> figures | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate <u>2</u> pages each |
| <input checked="" type="checkbox"/> Other <u>Certificate of mailing with copy of return postcard signed by attorney. Small Entity Status.</u> | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate <u>2</u> pages each |